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January 16, 2013

VIA ECF:

Hon. Joseph E. Irenas, U.S.D.J.
United States District Court
for the District of New Jersey
Post Office Building
401 Market Street
3rd Floor, Suite 310
Camden, NJ 08101

RE: *Brady, et al. v. Air Line Pilots Association*
Civil Action No. 02-2917

Dear Judge Irenas:

Plaintiffs seek a conference with the Court to address an issue raised by ALPA's recent attempt to depose two absent class members. Plaintiffs have filed a motion for Protective Order precluding ALPA from taking the depositions of these absent class members, John Hefley and Scott Schwartz. They are currently noticed for January 24-25, 2013. Plaintiffs' motion is marked returnable on February 4, 2013.

When Plaintiffs initially filed their motion, neither Hefley or Schwartz had been served with the deposition subpoena. Since that time ALPA has successfully served the deposition subpoena upon both Mr. Hefley and Mr. Schwartz. ALPA has stated its intent to press forward with the depositions, notwithstanding the pending motion. As set forth in our motion, discovery of absent class members is disfavored absent a showing of the express need for the testimony. ALPA has

refused requests for the information it intends to cover and ALPA's subpoena and deposition notices are also silent as to the topics it intends to cover.

Respectfully,

s/ Lisa J. Rodriguez

Lisa J. Rodriguez

cc: Allen P. Press (via ECF)
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